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July 6, 2020

**VIA CM-ECF**

Honorable Ronnie Abrams  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

*Re: United States v. Michael Hild, et al., No. 19-cr-602 (RA) – Request for Adjournment*

Dear Judge Abrams:

I am counsel for defendant Michael Hild in this matter. I write for the purpose of requesting an adjournment of the trial date, currently scheduled for October 13, 2020. I have consulted with the attorneys for the government, who agree that an adjournment is appropriate and reasonable under the current circumstances. The parties propose a new trial date in or about April 2021, to the extent such request works with the Court's trial calendar. Mr. Hild is willing to waive any right he has under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, to a trial sooner than this date (and hereby does waive any such right, to the extent that the instant correspondence is adequate for this purpose in the Court's view).

The grounds supporting the instant request for an adjournment are numerous, and for this reason shall not be exhaustively set forth herein. Among the major grounds are the following, however. First, this matter is extremely document-intensive and additional time is required for the defense to review the voluminous discovery produced by the government (in excess of 4 million documents), such that Mr. Hild can adequately prepare his defense. Second, the preparation of Mr. Hild's defense was severely disrupted by the public health situation occasioned by the COVID-19 pandemic, and the legal and practical restrictions brought about as a result. (The undersigned's office and home are in Kentucky; Mr. Hild resides in Virginia. The case is extremely complex and requires extensive face-to-face interaction to adequately prepare

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Mr. Hild's defense, especially given the amount of documentary evidence relied upon by the government. Due to various legal and practical restrictions imposed on travel since the outbreak of the pandemic in the United States, the undersigned and Mr. Hild have not been able to meet virtually at all for many months. Preparations involving interviewing and/or meeting with witnesses in the case has also been all-but-impossible under the current restrictions.) Third, on account of the aforementioned reasons, transfer of the file from previous counsel was significantly disrupted such that the undersigned was forced to seek (and receive, generously) the assistance of the government attorneys in "re-producing" certain discovery materials that previous counsel was not able to efficiently transfer to the undersigned with the rest of the case file materials. The problems associated with transferring such voluminous trial materials in the disruptive current climate further contribute to the need for more time for Mr. Hild to prepare his defense in a constitutionally-adequate way.

As further grounds, the undersigned would note that he has apprised himself of the Court's recently-announced "reopening" plans, and has reviewed them. It is respectfully submitted that an April trial date would accord with the Court's "phased" approach to reopening the Court for criminal trials.

The undersigned represents that he has actively consulted with the government attorneys throughout this process, who have been the very definition of professional and helpful in assisting the undersigned, a *pro hac vice* admittee navigating the procedural labyrinths of this jurisdiction for the first time, in addressing the implications of the COVID-19 pandemic on the trial of this matter and the advisability of an adjournment in the interests of justice. The undersigned represents that an April 2021 trial date works for both government attorneys, in terms of scheduling, and he has been authorized by both to represent same. The undersigned hereby states that an April 2021 trial date accords with his own professional calendar.

In conclusion, on the grounds stated above and for the reasons outlined above, the undersigned, on behalf of defendant Michael Hild, hereby formally requests an adjournment of the currently-scheduled trial date (October 13, 2020) until in or about April 2021, to accord with the Court's existing trial calendar.

Sincerely,

Benjamin G. Dusing

cc: All Counsel of Record

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SO ORDERED:

Dated: New York, New York  
July 6, 2020

Application granted. The trial is hereby adjourned to April 12, 2021. A final pretrial conference is scheduled for April 8, 2021 at 3:00 p.m. Pretrial submissions shall be due by March 11, 2021, responses by March 18, 2021 and any replies by March 25, 2021.

  
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RONNIE ABRAMS, U.S.D.J.